



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/869,254	06/26/2001	Yasushi Takahashi	450101-02373	2265

20999 7590 07/08/2004

FROMMER LAWRENCE & HAUG  
745 FIFTH AVENUE- 10TH FL.  
NEW YORK, NY 10151

EXAMINER
----------

VU, THANH T

ART UNIT	PAPER NUMBER
----------	--------------

2174

DATE MAILED: 07/08/2004

5

Please find below and/or attached an Office communication concerning this application or proceeding.

7

# Office Action Summary

Application No.

09/869,254

Applicant(s)

TAKAHASHI ET AL.

Examiner

Thanh T. Vu

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-64 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-64 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Claim Objections***

Claims 17, 19, 23 and 24 are objected to under 37 CFR 1.75 as being a substantial duplicate of claim 1, 3, and 7-8 respectively.

Claims 25-32 are objected to under 37 CFR 1.75 as being a substantial duplicate of 9-16 respectively.

When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 3, 12, 19, 35, and 51 recite the limitation "the absolute value". There is insufficient antecedent basis for this limitation in the claim.

Claims 4, 11, 20, 27, 36, 43, 52, and 59 recite the limitation "the integration value".

There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Art Unit: 2174

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-64 are rejected under 35 U.S.C. 102(e) as being anticipated by Zamara et al.

("Zamara", U.S. Pat. No. 5,917,990)

Per claim 1, Zamara teaches video information editing method comprising the steps of:  
delimiting at timing of a delimiting instruction a regular edition video, constituted by continuous dynamic images recorded along with recording position information or time lapse information, into shots as units of dynamic images or into scenes each containing at least one shot with the recording position information or the time lapse information associated with the shots or scenes (col. 3, lines 10-20);

preparing an evaluation value of each of the shots or each of the scenes on the basis of the information provided corresponding to each of the shots or each of the scenes (col. 3, lines 14-47); and

selecting from the regular edition video the shots or the scenes such that each of the evaluation values of the shots or the scenes satisfies a predetermined condition (col. 3, lines 50-59; col. 4, lines 27-38).

Per claim 2, Zamara teaches the video information edit method as claimed in claim 1, wherein if the sum of the time of video information selected from regular edition video exceeds a predetermined video time, the predetermined condition of the evaluation value is modified and the processing is repeated until the sum of the time of the video information is matched with the predetermined video time (col. 4, lines 14-20, lines 34-38, lines 50-55).

Per claim 3, Zamara teaches the video information editing method as claimed in claim 1, wherein the predetermined condition is that the absolute value of the evaluation value related to the shot or the scene reaches a predetermined threshold value (col. 3, lines 40-47).

Per claim 4, Zamara teaches the video information editing method as claimed in claim 3, wherein with respect to the integration value of the evaluation value related to each of the scenes along the scene transition, the scene is a peak scene when the continuous increase of the integration value up to a scene exceeds a predetermined first gap value and the absolute value of the continuous decrease of the integration value after that scene exceeds a predetermined second gap value (figs 3 and 4; col. 3, lines 20-45; col. 3, lines 60-col. 4, lines 20; col. 4, lines 60- col. 5, lines 15),

while the scene is a valley scene when the absolute value of the continuous decrease of the integration value up to a scene exceeds a predetermined third gap value and the continuous increase of the integration value after that scene exceeds a predetermined fourth gap value (figs 3 and 4; col. 3, lines 20-45; col. 3, lines 60-col. 4, lines 20; and col. 4, lines 60- col. 5, lines 15; col. 4, lines 27-38), and

a threshold value is determined for each area between the peak or valley scene and the adjacent valley or peak scene (figs 3 and 4; col. 3, lines 20-45; col. 3, lines 60-col. 4, lines 20; and col. 4, lines 60- col. 5, lines 15; col. 4, lines 27-38).

Per claim 5, Zamara teaches the video information editing method as claimed in claim 4, wherein the threshold value is set in accordance with the upward slope from the valley to the adjacent peak or the downward slope from the peak to the adjacent valley (figs. 3 and 4; col. 3, lines 20-45; col. 3, lines 60-col. 4, lines 20; col. 4, lines 27-38).

Per claim 6, Zamara teaches the video information editing method as claimed in claim 3, wherein when each of the evaluation values is formed by a positive or negative value, the absolute value of the threshold value applied to the positive evaluation value is made equal to or smaller than the absolute value of the threshold value applied to the negative evaluation value (col. 3, lines 40-47).

Per claim 7, Zamara teaches the video information editing method as claimed in claim 1, wherein the shot evaluation value is a value obtained by adding a value obtained by carrying out predetermined weighting on each of the video characteristic items including at least the presence of a speech, the volume of a predetermined level or higher, the appearance of a specified actor/actress, or the special picture effect in the corresponding part of the regular edition video, with respect to each of the items (col. 3, lines 14-19, and lines 35-47).

Per claim 8, Zamara teaches the video information editing method as claimed in claim 7, wherein with respect to the shot evaluation value, the weighting value on the item related to the appearance of a specified actor/actress is made greater than the weighting values on the other items (col. 3, lines 3, lines 14-19; col. 5, lines 52-65).

Per claim 9, Zamara teaches a video information editing method comprising the steps of: delimiting at timing of a delimiting instruction a regular edition video, constituted by continuous dynamic images recorded along with recording position information or time lapse information, into shots as units of dynamic images or into scenes each containing at least one shot with the recording position information or the time lapse information associated with the shots or scenes (col. 3, lines 10-20);

preparing an evaluation value of each of the scenes on the basis of the information provided corresponding to each of the scenes and selecting from the regular edition video the scenes such that each of the evaluation values of the scenes satisfies a predetermined first condition (figs 3 and 4; col. 3, lines 20-47 and lines 51-58; col. 4, lines 30-34; col.4, line 60 – col. 5, lines 15); and

preparing an evaluation value of each of the shots included in each of the selected scenes on the basis of the information provided corresponding to each of the shots and selecting the shots such that each of the evaluation values of the shots satisfies a predetermined second condition (figs. 3 and 4; col. 3, lines 20-47 and lines 51-58; col. 4, lines 30-34; col.4, line 60 – col. 5, lines 15).

Per claim 10, Zamara teaches the video information editing method as claimed in claim 9, wherein if the length of a video produced by connecting selected shots exceeds a predetermined video time, at least one of the predetermined first condition and second condition is modified and the processing is repeated until the length of the video becomes equal to the predetermined video time (col. 4, lines 14-20, lines 34-38, lines 50-55).

Per claim 11, Zamara teaches the video information editing method as claimed in claim 9, wherein the predetermined first condition is that the absolute value of the scene evaluation value related to the scene reaches a predetermined threshold value (col. 3, lines 40-47), and

wherein with respect to the integration value of the evaluation value related to each of the scenes along the scene transition, the scene is a peak scene when the continuous increase of the integration value up to a scene exceeds a predetermined first gap value and the absolute value of the continuous decrease of the integration value after that scene exceeds a predetermined second

Art Unit: 2174

gap value (figs 3 and 4; col. 3, lines 20-45; col. 3, lines 60-col. 4, lines 20; col. 4, lines 60- col. 5, lines 15; col. 4, lines 27-38),

while the scene is a valley scene when the absolute value of the continuous decrease of the integration value up to a scene exceeds a predetermined third gap value and the continuous increase of the integration value after that scene exceeds a predetermined fourth gap value (figs 3 and 4; col. 3, lines 20-45; col. 3, lines 60-col. 4, lines 20; col. 4, lines 60- col. 5, lines 15; col. 4, lines 27-38), and

the threshold value is determined for each area between the peak or valley scene and the adjacent valley or peak scene (figs 3 and 4; col. 3, lines 20-45; col. 3, lines 60-col. 4, lines 20; col. 4, lines 60- col. 5, lines 15; col. 4, lines 27-38).

Per claim 12, Zamara teaches the video information editing method as claimed in claim 9, wherein with respect to the integration value of the evaluation value related to each of the scenes along the scene transition, the scene is a peak scene when the continuous increase of the integration value up to a scene exceeds a predetermined first gap value and the absolute value of the continuous decrease of the integration value after that scene exceeds a predetermined second gap value (figs 3 and 4; col. 3, lines 20-45; col. 3, lines 60-col. 4, lines 20; col. 4, lines 60- col. 5, lines 15),

while the scene is a valley scene when the absolute value of the continuous decrease of the integration value up to a scene exceeds a predetermined third gap value and the continuous increase of the integration value after that scene exceeds a predetermined fourth gap value (figs 3 and 4; col. 3, lines 20-45; col. 3, lines 60-col. 4, lines 20; col. 4, lines 60- col. 5, lines 15), and



the predetermined first condition is applied to the scenes on the upward slope to the peak from the adjacent valley before the peak and the scenes on the downward slope immediately after the peak, on the basis of the magnitude of the increase of the integration value of the valley scene and the adjacent peak scene after the valley, or on the basis of the ranking of the magnitude of the increase of the integration value (figs 3 and 4; col. 3, lines 20-45; col. 3, lines 60-col. 4, lines 20; col. 4, lines 60- col. 5, lines 15).

Claims 13-16 are rejected under the same rationale as claims 5-8 respectively.

Claims 17-19 are rejected under the same rationale as claims 1-3 respectively.

Claim 20 is rejected under the same rationale as claim 3 and 4.

Claims 21-24 are rejected under the same rationale as claims 5-8 respectively.

Claims 25-32 are rejected under the same rationale as claims 9-16 respectively.

Claims 33-40 are rejected under the same rationale as claims 17-24 respectively.

Claims 41-48 are rejected under the same rationale as claims 9-16 respectively.

Per claim 49, Zamara teaches a video information editing device comprising:

means for delimiting at timing of a delimiting instruction a regular edition video, constituted by continuous dynamic images recorded along with recording position information or time lapse information, into shots as units of dynamic images or into scenes each containing at least one shot with the recording position information or the time lapse information associated with the shots or scenes (col. 3, lines 10-20);

means for preparing an evaluation value of each of the shots or each of the scenes on the basis of the information provided corresponding to each of the shots or each of the scenes (col. 3, lines 14-47);

Art Unit: 2174

means for selecting from the regular edition video the shots or the scenes such that each of the evaluation values of the shots or the scenes satisfies a predetermined condition (col. 3, lines 50-59; col. 4, lines 27-38); and

means for coding data including at least the recording position information or the time lapse information corresponding to the selected shots or scenes and the corresponding evaluation value (col. 3, lines 11-13; col. 5, lines 56-60).

Claims 50-56 are rejected under the same rationale as claims 19-24 respectively.

Per claim 57, Zamara teaches a video information editing device comprising:

means for delimiting at timing of a delimiting instruction a regular edition video, constituted by continuous dynamic images recorded along with recording position information or time lapse information, into shots as units of dynamic images or into scenes each containing at least one shot with the recording position information or the time lapse information associated with the shots or scenes (col. 3, lines 10-20);

means for preparing an evaluation value of each of the scenes on the basis of the information provided corresponding to each of the scenes and means for selecting from the regular edition video the scenes such that each of the evaluation values of the scenes satisfies a predetermined first condition (figs 3 and 4; col. 3, lines 20-47 and lines 51-58; col. 4, lines 30-34; col.4, line 60 – col. 5, lines 15);

means for preparing an evaluation value of each of the shots included in each of the selected scenes on the basis of the information provided corresponding to each of the shots and means for selecting the shots such that each of the evaluation values of the shots satisfies a

Art Unit: 2174

predetermined second condition (figs. 3 and 4; col. 3, lines 20-47 and lines 51-58; col. 4, lines 30-34; col.4, line 60 – col. 5, lines 15); and

means for coding the information of the recording position information or the time lapse information corresponding to each of the selected shots and data including at least the shot evaluation value (col. 3, lines 11-13; col. 5, lines 56-60).

Claims 58-64 are rejected under the same rationale as claims 10-16 respectively.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Yeo et al. (U.S. Pat. No. 5,821,945) discloses method and apparatus for video browsing based on content and structure.

Hampapur et al. (U.S. Pat. No. 6,738,100) discloses method for detecting scene changes in a digital video stream.

Altumbasak et al. (U.S. Pat. No. 6,389,168) discloses object-based parsing and indexing of compressed video streams.

Ratakonda (U.S. Pat. 5,956,025) discloses method for hierarchical summarization and browsing of digital video.

### ***Inquiries***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh T. Vu whose telephone number is (703)-308-9119. The examiner can normally be reached on Mon-Thur and every other Fri 8:30 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on (703) 308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

T. Vu

*Kristine Kincaid*  
KRISTINE KINCAID  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100